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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/628,831	07/31/2000	Michael K. Hargens	1320	5162
28004	7590	08/16/2004	EXAMINER	
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			BOUTAH, ALINA A	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/628,831

Applicant(s)

HARGENS ET AL.

Examiner

Alina N Boutah

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-2, 4-6, 8-15, 17-19, 21-28, 30-32, 34-40, 42, 44-50, 52, 54-60, 62 and 64-69 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1,2,4-6,8-15,17-19,21-28,30-32,34-40,42,44-50,52,54-60,62 and 64-69 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

This action is in response to the amendment received May 11, 2004. Claims 1-2, 4, 8-15, 17, 21-28, 30, 34-40, 42, 44-50, 52, 54-60, and 64-69 are amended. Claims 3, 7, 16, 20, 29, 33, 41, 43, 51, 61, 63, and 70-99 have been cancelled. Accordingly, claims 1-2, 4-6, 8-15, 17-19, 21-28, 30-32, 34-40, 42, 44-50, 52, 54-60, 62 and 64-69 are pending in the present application.

Oath/Declaration

Applicant has appended a copy of the granted petition to accept a declaration in the absence of Jo Temming's signature. Therefore, the oath/declaration is not defective.

Specification

A new title is required that is clearly indicative of the invention to which the claims are directed has been submitted. The objection is now withdrawn.

Claim Rejections - 35 USC § 112

Due to Applicant's amendment, the 112 rejection of claims 1, 27, 40 and 60 are now withdrawn.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-6, 8-15, 17-19, 21-28, 30-32, 34-40, 42, 44-50, 52, 54-60, 62 and 64-69 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,185,545 issued to Resnick et al (hereinafter Resnick).

(Amended) Regarding claim 1, Resnick teaches a method for dynamically providing communication accounts to web servers using a communication account system for immediate download to users, the method comprising:

receiving a communication account request message from a web server, wherein the communication account request message includes user information for a user (figure 3; col. 6, lines 5-16, 37-40, 58-62);

validating the web server in response to the communication account request message (figure 3; col. 6, lines 5-16, 37-40, 58-62; col. 7, lines 27-39);

associating a communication account with the web server in response to the validation by processing the user information to select a type of the communication account for the web server (figure 3; col. 6, lines 5-16, 37-40, 58-62; col. 7, lines 27-39); and

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transferring a response message to the web server indicating communication account information in response to the association (figure 3; col. 6, lines 5-16, 37-40, 58-62; col. 7, lines 27-39).

(Amended) Regarding claim 2, Resnick teaches the method of claim 1 further comprising: receiving the communication account request message from the web server in response to a transaction with the web server by a user (figure 3).

Regarding claim 4, Resnick teaches the method of claim 3 wherein the user information includes information on the transaction with the web server (abstract).

Regarding claim 5, Resnick teaches the method of claim 4 wherein the user information includes information on the transaction with the web server (col. 6, lines 37-39 and 58-62).

Regarding claim 6, Resnick teaches the method of claim 1 wherein validating the web server further comprises: comparing a web server identification to a list of valid server identifications (col. 6, lines 5-17).

(Amended) Regarding claim 8, Resnick teaches the method of claim 1 wherein associating the communication account further comprises storing a record associated with the web server (figure 5).

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(Amended) Regarding claim 9, Resnick teaches the method of claim 1 wherein associating the communication account further comprises: storing a record associated with the user (figure 5).

(Amended) Regarding claim 10, Resnick the method of claim 1 wherein the communication account is a wireline account (figure 8).

Regarding claim 11, Resnick teaches the method of claim 1 wherein the communication account is a wireless account (figure 7).

Regarding claim 12, Resnick teaches the method of claim 1 wherein the communication account is an internet account (figure 8).

Regarding claim 13, Resnick teaches the method of claim 1 further comprising determining an amount of prepaid time for the communication account (col. 1, lines 64).

Claims 14-26 and 27-39 have similar limitations as claims 1-13, respectively, therefore are also rejected under the same rationale.

Claims 40-49 and 50-59, and 60-69 have similar limitation as claims 1, 3, and 6-13, respectively, except for the fact that the accounts are being transferred to and from wireless

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devices. Resnick discloses performing functions similar to these limitations in wireless devices (col. 2, lines 35-41), therefore the above claims are rejected under the same rationale.

Claims 70-79, 80-89, and 90-99 have similar limitation as claims 1, 3, and 6-13, respectively, therefore are also rejected under the same rationale.

Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. In response to Applicant's argument that Resnick fails to teach "associating a communication account with the web server in response to the validation by processing the user information to select a type of communication account for the web server," the Patent Office respectfully submits that these limitations are taught in col. 5, lines 4-31; col. 6, lines 5-17.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The examiner can normally be reached on Monday-Thursday (9:00 am-7:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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[Signature]
DAVID WILEY
SUPERVISOR
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